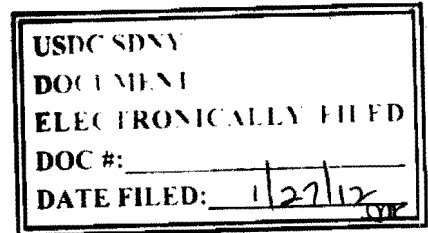


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
JODY KRISS, et al.,

Plaintiffs,

-v-

BAYROCK GROUP LLC, et al,

Defendants.
-----X

10 Civ. 3959 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received a submission from the law firm of Beys, Stein & Mobargha, counsel to one of the named defendants in this matter, opposing further enlargements of time for plaintiffs to serve their complaint.

The Court notes that the Second Circuit has recently remand of certain matters to the Honorable I. Leo Glasser of the Eastern District of New York with instructions to rule on a pending motion to unseal portions of a criminal docket.

Once Judge Glasser rules on the unsealing motion and any appeal taken from that determination has run its course, it will be incumbent upon plaintiffs' counsel to either amend the complaint he filed on April 10, 2010 such that it does not reference any sealed material, or to discontinue this action if it cannot be maintained without improper reference to sealed documents. Until that time, defendants' objections to the enlargements of time to serve the complaint are denied.

This Order relates solely to the issue of plaintiffs' time to serve their complaint in this action. Nothing in this Order alters in any way the obligation(s) imposed upon plaintiffs' counsel by previous orders of this Court or various orders of the U.S. Court of Appeals for the Second Circuit or the U.S. District Court for the Eastern District of New York.

SO ORDERED.

A handwritten signature in cursive script that reads "Paul A. Engelmayer".

Paul A. Engelmayer
United States District Judge

Dated: January 27, 2012
New York, New York